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17 DIAGNOSTICS INCORPORATED.

18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**
20 **WESTERN DIVISION**

21 MEDSQUIRE, LLC

22 Plaintiff,

23 vs.

24 SPRING MEDICAL SYSTEMS, INC.;
25 QUEST DIAGNOSTICS, INC.;
26 NEXTGEN HEALTHCARE
27 INFORMATION SYSTEMS, INC.;
28 HENRY SCHEIN MEDICAL
SYSTEMS, INC.; HEWLETT-
PACKARD COMPANY; APRIMA
MEDICAL SOFTWARE, INC.;
eCLINICALWORKS, LLC; MED3000,
INC.; PULSE SYSTEMS, INC.;
COMPULINK BUSINESS SYSTEMS,
INC.; NEXTECH SYSTEMS, INC.;
NAVINET, INC.; successEHS, INC.;
athenaHEALTH, INC.

Defendants.

Case No. 2:11-cv-04504-JHN –PLAx

**ORDER ON STIPULATION FOR
DISMISSAL OF INDIRECT
INFRINGEMENT CLAIMS AS
ASSERTED AGAINST QUEST
DIAGNOSTICS, INC.**

Judge: Hon. Jacqueline H. Nguyen

1 WHEREAS, Medsquire, LLC ("Medsquire") asserted claims of indirect
2 infringement against Quest Diagnostics, Inc. ("Quest") at paragraphs 165-169 and
3 230-233 of the First Amended Complaint; and

4 WHEREAS, Medsquire agrees to voluntarily dismiss such claims;

5
6 **IT IS HEREBY STIPULATED TO AND ORDERED AS FOLLOWS:**

7 (1) Medsquire's claims of indirect infringement against Quest at paragraphs
8 165-169 and 230-233 of the First Amended Complaint are dismissed without
9 prejudice; provided however, Medsquire may move for leave to reintroduce those
10 claims, which leave will be granted only if Medsquire can establish good cause for
11 doing so based on a newly learned or discovered fact(s) relating to Quest's alleged
12 knowledge of the patent in suit and specific intent to induce others' infringement.


13 (2) Quest shall have until October 25, 2011, to answer the remaining claim
14 against it for direct infringement in the First Amended Complaint.

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16 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

17 Dated: October 10, 2011

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19 **IT IS SO ORDERED.**

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21 Dated: October 11, 2011

22 By: 
23 Honorable Jacqueline H. Nguyen
24 United States Judge
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